

From: [Tim C](#)
To: [Wasem, Russell](#)
Subject: Re: broadcasting rodenticides in apple orchard
Date: Thursday, December 19, 2013 10:45:29 PM

Hello Rusty,

Thank you for answering my questions concerning the rodenticides in the Chazy orchard. A friend's dog almost died as a result of eating a dead mouse in the orchard. She had been given permission to walk with her dog in the orchard some time ago and was not aware of the hazard. She went to the orchard office to ask what they were using and they would not give her the information. I'm wondering if we have any right as property owners adjacent to the orchard to know what they're using on their land.

Sincerely,
Tim

On Mon, Dec 16, 2013 at 5:29 PM, Wasem, Russell <Wasem.Russell@epa.gov> wrote:

Hello Tim,

Thank you for contacting me on this issue. I did my undergraduate studies at Plattsburgh State and have fond memories of the apple orchards in Clinton County and of lake Champlain.

Specifically on the rodenticide use you are inquiring about. There are approved orchard uses of 1st generation anticoagulant and non-anticoagulant rodenticides that fit the broadcast use pattern you described. 2nd generation anticoagulant rodenticides, the most toxic, are not approved for broadcast outdoors under any circumstance. The document you link to below only focuses on commensal uses (think house mice in residences and rats in a warehouse types scenarios) of rodenticides and not orchard or field uses (eg. prairie dogs and other non-commensal species of rodents). All orchard and field uses are classified as restricted use products that may only be applied by or under the supervision of a state licensed pesticide applicator. While this restricted use classification does not eliminate the rodenticide use you are concerned about, it does ensure that professional applicators who have an interest in avoiding liability and preserving their certified applicators license will be making these applications as opposed to a general consumer.

The less recent document that applied to the orchard/field uses is here <http://www.epa.gov/oppsrrd1/reregistration/REDs/2100red.pdf>. Most of the information on commensal rodenticide products in this document have been updated by the document you first

linked to.

If you have any further questions or concerns, please feel free to contact me at your convenience.

Regards,

Rusty

Rusty Wasem

Chemical Review Manager

Office of Pesticides

U.S. Environmental Protection Agency

[703-305-6979](tel:703-305-6979)

From: Tim C [<mailto:tcastine@vt.edu>]
Sent: Monday, December 16, 2013 12:38 PM
To: Wasem, Russell
Subject: broadcasting rodenticides in apple orchard

Dear Mr. Warren,

I live in Chazy, NY which is located in the north eastern corner of New York State.

I currently reside close to a large apple orchard and have recently discovered that this orchard broadcasts rodenticides throughout its stands of 60,000 new trees. This is of concern to me for both the wildlife and the domestic animals that travel through the orchard. Also, the orchard is in close proximity to Lake Champlain into which the orchard runoff ditches terminate.

I have been looking at an EPA publication titled **Final Risk Mitigation Decision for Ten Rodenticides**, October 2012. It can be found at this address:

<http://www.epa.gov/oppsrrd1/reregistration/rodenticides/finalriskdecision.htm>

The last paragraph of page 3 titled **First Generation Anticoagulant and Non-Anticoagulant Products for Professional Users (Agricultural and PCO)** states,

"Bait stations are required for all outdoor, above-ground placements of first-generation anticoagulant and non-anticoagulant products."

The same statement is made for Second Generation Anticoagulants on page 4.

I am assuming that this requirement makes the broadcasting of anti-coagulants an unlawful act as it kills without discrimination.

Is such a decision federal law? If so, I assume each state must abide by it.

My thanks for taking the time to answer these questions. I have recently returned to my hometown of Chazy, NY after being away for 30 years, and every day I see habitat for both wildlife and human life ruined by destructive agricultural practices.

Sincerely,

Tim C. Castine